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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,751

08/13/2002

Go Kondo

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01/28/2008

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EXAMINER

DAO, THUY CHAN

ART UNIT

PAPER NUMBER

2192

MAIL DATE

DELIVERY MODE

01/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/064,751

Applicant(s)

KONDO, GO

Examiner

Thuy Dao

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on November 19, 2007.
2. Claims 1-15 have been examined.

Response to Amendments

3. Per Applicant's request, claims 1, 6, 7, 11, and 12 have been amended.
4. The objection to claim 15 is withdrawn in view of persuasive Applicant's arguments.

Response to Arguments

5. Applicant's arguments regarding APA (Remarks, pp. 8-10) have been fully considered. However, they are not persuasive.

The limitations "an application having a model and a view separated from each other" (Remarks, page 9, last paragraph, recited in claim 1, lines 1-2, and similarly recited in independent claims 6-7, 11-12, and 15).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "That is, the model does not have the specific interface to the view", Remarks, page 9, last paragraph, lines 2-3, emphasis added) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The plain language of the claims merely calls for "an application having a model and a view separated from each other" (emphasis added) and APA explicitly teaches those limitations as set forth in the previous Office action mailed August 17, 2007, page 7, paragraph 11, claim 1, lines 1-3 (e.g., FIG. 39, in which Application A has a model A and views A1-A2 separated from each other, and similar to Applications B-C, and related text in [0021-0022]).

6. Applicant's arguments regarding Lawande (Remarks, pp. 10-11) and Sakakura (pp. 11-12) have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections – 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of US Patent No. 6,002,867 to Jazdzewski (art made of record, hereinafter "Jazdzewski").

Claim 1:

APA discloses an apparatus, a program and *an application editing apparatus for using a computer to edit an application having a model and a view separated from each other* (e.g., FIG. 39, [0021-0034]), *comprising:*

an editing module for editing a first model in said application (e.g., page 4, [0026], "... Examples of such an editor including a model converter function are XML writer available from Wattle Software and Excelon Stylus available from eXcelon. These editors display a source model in a source code view (source view) for editing...", emphasis added; [0023], editing source Document Object Models; and [0031]);

a model converter for receiving a report of an update to the first model and converting the first model edited by said editing module into a second model (e.g.,

page 5, [0031], "... Instead, a user should explicitly request an update of the target to convert the entire source model into the target model-view pair", an event generator for generating a refresh event in said view display after converting "...the entire source model into the target model-view pair", emphasis added;

page 4, [0026], "Furthermore, a model converter is not only used by itself but also included in an editor for generating a preview model", emphasis added; and [0023]);

dynamically changing views displayed on the display devices based on an edit of the source model (e.g., FIG. 37, Add a node in source model → Notify event to other views → Insert event to other views → update other views, pages 1-2, [0005-0008]; page 2, [0014]; FIG. 39, model-view pairs A-A2, B-B2, and C-C);

an explicit request for synchronizing updates between two models (e.g., page 5, [0031]; FIG. 39, synchronizing updates between models A, B, and C);

a view display module for using a view of said second model to display said second model on a display device (page 4, [0026], "In response to this operation, a model converter included in the editor converts the entire source model into a new model to update the preview, which is a view of the converted model"; FIG. 39, page 3, [0021]);

wherein said view display module comprises an event generator for generating an event based on an update in said second model if said second model is updated based on an edit of said first model made by said editing module and updates changed portion of the view displayed on said display device based on the event generated by said event generator (e.g.,

page 5, [0031], "... Instead, a user should explicitly request an update of the target to convert the entire source model into the target model-view pair", an event generator for generating a refresh event in said view display after converting "...the entire source model into the target model-view pair", emphasis added;

page 4, [0026], lines 5-9, in response to an explicit operation, an event generator generates an update event "...to update the preview, which is a view of the converted model";

FIG. 39, changing target model-view pair A-A2 based on an edit of source model B; changing target model-view pair B-B2 based on an edit of source model A or C; changing target model-view pair C-C based on an edit of source model B).

Art Unit: 2192

APA does not explicitly disclose *receiving automatically a report of an update to the first model and converting the first model edited by said editing module into a second model* (emphasis added).

However, in an analogous art, Jazdzewski further discloses *receiving automatically a report of an update to the first model and converting the first model edited by said editing module into a second model* (e.g., FIG. 5A-C, col.9: 65 – col.10: 27; FIG. 6A-E, col.10: 28 – col.11: 7; col.3: 24-27 and 46-67).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Jazdzewski's teaching into APA's teaching. One would have been motivated to do so to make any changes to the ancestor form (source model-view pair) immediately appear in the descendant form (target model-view pair) wherein the descendant form could be identical or different (i.e., customized) with the ancestor form as suggested by Jazdzewski (e.g. col.3: 9-67).

Claim 2:

The rejection of base claim 1 is incorporated. Jazdzewski further discloses *said view display module further comprises: a difference extractor for extracting a difference between said second models before and after an update if said second model is updated based on an edit of said first model made by said editing module and said event generator generates said event by using information about said difference extracted by said difference extractor as a parameter* (e.g., col.9: 47-64; col.11: 59-64; col.15: 15-20).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Jazdzewski's teaching into APA's teaching. One would have been motivated to do so as set forth above.

Claim 3:

The rejection of base claim 1 is incorporated. APA also discloses *said model converter converts an individual element of said first model into a corresponding*

Art Unit: 2192

element of said second model (e.g., FIG. 39, Models B - C, and related text page 3, [021]).

Claim 4:

The rejection of base claim 1 is incorporated. APA also discloses *if said second model contains no element corresponding to a converted element of said first model, said model converter adds an element corresponding to said converted element to said second model (e.g., FIG. 39, Models A – B, and related text page 3, [021]).*

Claim 5:

The rejection of base claim 1 is incorporated. APA also discloses *said model converter converts an element edited by said editing module in said first model into a corresponding element in second model and updates said second model with said converted element (e.g., pages 3-4, [023-025]).*

Claim 6:

Claim 6 is an apparatus version, which recites the same limitations as those of the claims 2-5, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the references teach all of the limitations of the above claims, they also teach all of the limitations of claim 6.

Claim 7:

As set forth in claim 1, APA discloses *a data processing method of using a computer to display a model in a given application in a view in another application (e.g., FIG. 39, displaying model A in a given application A in views B and C in other applications B and C), comprising the steps of:*

reading a second model in said another application from a data storage storing said given application; updating a second model so that the update is reflected in said second model if a first model in said given application is updated (e.g.,

Art Unit: 2192

page 4, [0026], "In response to this operation, a model converter included in the editor converts the entire source model into a new model to update the preview, which is a view of the converted model";

FIG. 39, page 3, [0021], first model as source model, second model as converted model; lines 6-10, a model converter reading Model B, updating, and displaying in source view or tree view, but not in WYSIWYG view, a model converter reading Model C, updating, and displaying in source view only);

said updating performed upon receiving a report of an update to the first model (e.g.,

page 5, [0031], "... Instead, a user should explicitly request an update of the target to convert the entire source model into the target model-view pair", an event generator for generating a refresh event in said view display after converting "...the entire source model into the target model-view pair", emphasis added;

page 4, [0026], lines 1-2, "Furthermore, a model converter is not only used by itself but also included in an editor for generating a preview model", emphasis added; and [0023]);

page 4, [0026], lines 5-9, in response to an explicit operation, an event generator generates an update event "...to update the preview, which is a view of the converted model"; *and*

generating an event based on the update made to said second model and, based on said event, changing the view displayed on a display device in said another application (e.g.,

page 5, [0031], "... Instead, a user should explicitly request an update of the target to convert the entire source model into the target model-view pair", an event generator for generating a refresh event in said view display after converting "...the entire source model into the target model-view pair", emphasis added;

page 4, [0026], lines 5-9, in response to an explicit operation, an event generator generates an update event "...to update the preview, which is a view of the converted model";

Art Unit: 2192

FIG. 39, changing target model-view pair A-A2 based on an edit of source model B; changing target model-view pair B-B2 based on an edit of source model A or C; changing target model-view pair C-C based on an edit of source model B).

Furthermore, APA discloses:

dynamically changing views displayed on the display devices based on an edit of the source model (e.g., FIG. 37, Add a node in source model → Notify event to other views → Insert event to other views → update other views, pages 1-2, [0005-0008]; page 2, [0014]; FIG. 39, model-view pairs A-A2, B-B2, and C-C);

an explicit request for synchronizing updates between two models (e.g., page 5, [0031]; FIG. 39, synchronizing updates between models A, B, and C).

APA does not explicitly disclose *said updating performed upon receiving automatically a report of an update to the first model* (emphasis added).

However, in an analogous art, Jazdzewski further discloses *said updating performed upon receiving automatically a report of an update to the first model* (e.g., FIG. 5A-C, col.9: 65 – col.10: 27; FIG. 6A-E, col.10: 28 – col.11: 7).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Jazdzewski's teaching into APA's teaching. One would have been motivated to do so as set forth above.

Claim 8:

The rejection of base claim 7 is incorporated. Claim 8 is a method version, which recites the same limitations as those of claim 2, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the references teach all of the limitations of claim 2, they also teach all of the limitations of claim 8.

Claim 9:

The rejection of intervening claim 8 is incorporated. APA also discloses said step of updating said second model comprises the step of converting elements of said first

Art Unit: 2192

model into a corresponding elements of said second model, and said step of changing the view in said another application comprises the step of updating the converted elements of said second models (e.g., FIG. 39 and related text in pages 3-6, [020-034]).

APA does not explicitly discloses *the step of converting an individual element of said first model into a corresponding element of said second model, and the step of extracting a difference in the individual converted element of said second models before and after the update.*

However, Jazdzewski further discloses the step of converting an individual element of said first model into a corresponding element of said second model, and the step of extracting a difference in the individual converted element of said second models before and after the update (e.g., col.9: 47-64; col.11: 59-64; col.15: 15-20).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Jazdzewski's teaching into APA's teaching. One would have been motivated to do so as set forth above.

Claim 10:

The rejection of base claim 7 is incorporated. APA also discloses *changing the view in said another application comprises the step of converting an event causing the update made to said first model to be reflected in a view in said given application into an event changing the view in said another application by using a conversion rule for converting said first model into said second model (e.g., [0022], [0024]).*

Claim 11:

Claim 11 is a program version, which recites the same limitations as those of claim 9, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the references teach all of the limitations of the above claim, they also teach all of the limitations of claim 11.

Claims 12-14:

Claims 12-14 are also program versions, which recite the same limitations as those of claims 2-5 and 9-10, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the references teach all of the limitations of the above claims, they also teach all of the limitations of claims 12-14.

Claim 15:

Claim 15 recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the references teach all of the limitations of the above claim, they also teach all of the limitations of claim 1.

Jazdzewski further discloses *receiving automatically a report of an update to the first model* (e.g., col.9: 47-64; col.11: 59-64; col.15: 15-20, emphasis added).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Jazdzewski's teaching into APA's teaching. One would have been motivated to do so as set forth above.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2192

10. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone/fax numbers are (571) 272 8570 and (571) 273 8570, respectively. The examiner can normally be reached on Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Dao



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SUPERVISORY PATENT EXAMINER